



## PUC HOLDS HEARING ON LANDFILL'S FORMER CUSTOMERS

# DEP in dark on hazardous waste disposal

By DAVID WALD

The Department of Environmental Protection (DEP) does not know where or how chemical and hazardous wastes previously dumped at the Kin Buc landfill in Edison are now being disposed.

At a Public Utilities Commission hearing in New York yesterday, John Van Dalen, a deputy attorney general for the DEP, said his department cannot say specifically where Kin Buc's 200 former customers are dumping liquid, chemical, and hazardous wastes.

Kin Buc was barred from accepting the hazardous materials by a July DEP order.

The DEP estimated that Kin Buc was accepting approximately 1.2 million gallons of the liquid and chemical waste weekly, "at the height of its business."

Beatrice Tylutki, director of the DEP's Solid Waste Administration, said yesterday in a telephone interview from her Trenton office she did not think a survey of Kin Buc's former clients was necessary.

She said the department has not found any evidence of an increase in illegal, or "promiscuous," dumping, since the 30-acre Kin Buc I site was declared off-limits for chemical wastes.

"Before we make any survey, we should have some indications of an increase in promiscuous dumping, otherwise our letters (to former Kin Buc customers) could be considered as accusations," she said. "We've had good rapport with the industries."

"The industries have been very aware of their responsibility to make sure the waste they generate is disposed of properly," she said.

Robert Corman, an assistant deputy public advocate, said yesterday, "My department's very disturbed about this matter. We are evaluating it to determine what steps we could take, if any."

"That the DEP is unaware of where the materials go represents a very serious potential environmental hazard to the lands of the state and its citizens," he said. "Hopefully the (waste) generators are properly disposing of it."

Corman has been representing the Department of Public Advocate at the PUC hearing, which was called jointly with the DEP to gather evidence aimed at permanently closing the Kin Buc landfill site.

Last month the DEP and Kin Buc reached a settlement which is intended to close the dump completely by Jan. 15. (Kin Buc has continued to accept solid waste.)

Kin Buc has submitted a final "closure plan" to the DEP, which includes details of environmental safeguards to be implemented after dumping stops, but the DEP has not yet completed its review of the plan.

PUC Hearing Examiner Harold Kaplan had ordered the DEP to provide him with a list of alternative sites for solid and liquid waste dumping before he makes a recommendation on closing Kin Buc I.

Twelve sites in Middlesex, Monmouth, Mercer and Morris counties were presented as alternatives by the DEP, but the list was immediately attacked by Kin Buc's attorney, Theodore Schwartz, because it did not include the planned Kin Buc II site, which has received conditional approval from the DEP.

Schwartz has maintained the DEP is discriminating against his client because the environmental agency is not requiring as stringent safeguards at other dumps as it has required of Kin Buc.

Schwartz also said the DEP "does not have any knowledge, where waste materials are now going. They're aware of each and every customer Kin Buc had served. They obtained the information from us."

The DEP official said her administration is aware of the problems of "promiscuous" dumping, particularly in the marshlands at the edge of Newark Bay.

"On and off for the last four to five years there has been a continuous problem in areas which are not fully used — close to the highways, railroads and under bridges," she said. "There hasn't been an increase in the problem because Kin Buc is closed."

Tylutki said companies affected by the Kin Buc I closing have either been storing the chemicals or making other arrangements to dispose of the waste.

She said the DEP has hired a Pennsylvania consulting firm for \$17,000 to develop a plan which will allow the DEP to trace the disposal of waste from generator to hauler to landfill.

Kin Buc has also proposed a new chemical processing waste plant on its Edison property, which has been given conditional approval by the DEP, but a new law enacted by the Legislature bans the disposal of hazardous wastes 1,000 yards from a flood plain. Kin Buc is located along the Raritan River.

Of the eight sites in New Jersey listed by the DEP as alternatives to Kin Buc for dumping liquid, chemical and hazardous wastes, Deputy Attorney General Van Dalen said only one landfill in Bridgeport was registered with the DEP.

However, Tylutki said later that all eight were registered. "To the best of my knowledge all are legally doing business in the state, which means they are registered."